Meeting of States Parties

Distr.: General
16 June 2005

Original: English

Fifteenth Meeting
New York, 16-24 June 2005

Agenda

1. Opening of the Fifteenth Meeting by the President of the Fourteenth Meeting.
2. Minute of silent prayer or meditation.
3. Election of the President.
4. Adoption of the agenda.
5. Election of the Vice-Presidents.
6. Appointment of the Credentials Committee.
7. Organization of work.
8. Report of the International Tribunal for the Law of the Sea to the Meeting of States Parties for 2004 (rule 6 of the Rules of Procedure for Meetings of States Parties) (SPLOS/122).
9. Information reported by the Secretary-General of the International Seabed Authority.
10. Information reported by the Chairman of the Commission on the Limits of the Continental Shelf.
11. Report of the External Auditors for the financial year 2003, with financial statements of the International Tribunal for the Law of the Sea as of 31 December 2003 (SPLOS/121).
12. Draft decision on the appointment of the auditor for the International Tribunal for the Law of the Sea for the financial periods 2005/06 and 2007/08 (SPLOS/123).
13. Report of the Credentials Committee.
14. Election of seven members of the International Tribunal for the Law of the Sea.
15. Consideration of budgetary matters of the International Tribunal for the Law of the Sea:

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(a) Adjustment of the remuneration of members of the International Tribunal for the Law of the Sea (SPLOS/2005/WP.1);

(b) Effects of fluctuations in exchange rate on the remuneration of the members of the International Tribunal for the Law of the Sea (SPLOS/2005/WP.2);

(c) Report on common staff costs (SPLOS/127);

(d) Budget performance for 2004 (SPLOS/128).

16. Report of the Secretary-General under article 319 for the information of States parties on issues of a general nature, relevant to States parties, that have arisen with respect to the United Nations Convention on the Law of the Sea.

17. Other matters.

Meeting of States Parties

Distr.: General
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Fifteenth Meeting
New York, 16-24 June 2005

Credentials of representatives to the Fifteenth Meeting of States Parties to the United Nations Convention on the Law of the Sea

Report of the Credentials Committee

Chairperson: Ms. Rosette **Katungye** Nyirinkindi (Uganda)

1. On 20 June 2005, the Fifteenth Meeting of States Parties to the United Nations Convention on the Law of the Sea appointed a Credentials Committee consisting of the following nine members: Bahamas, Canada, Czech Republic, Greece, Grenada, Indonesia, Malaysia, South Africa and Uganda.

2. The Credentials Committee held one meeting, on 21 June 2005.

3. Ms. Rosette Katungye Nyirinkindi (Uganda) was elected Chairperson by acclamation.

4. The Committee had before it a memorandum by the Secretariat, dated 17 June 2005, on the status of credentials of representatives participating in the Fifteenth Meeting of States Parties to the United Nations Convention on the Law of the Sea. The Secretary made a statement supplementing the memorandum with regard to including those credentials and communications received subsequent to the preparation of the memorandum.

5. As noted in paragraph 1 of the memorandum, as orally supplemented during the meeting, formal credentials issued by the Head of State or Government or by the Minister for Foreign Affairs or by a person authorized by either of them had been received by the Secretariat for the representatives of the following 95 States participating in the Fifteenth Meeting of States Parties: Algeria, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Cameroon, Canada, Chile, China, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Italy, Japan, Jordan, Kenya, Kiribati, Kuwait, Lebanon, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco,

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Mongolia, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Oman, Panama, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Trinidad and Tobago, Tunisia, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Viet Nam and Yemen.

6. As noted in paragraph 2 of the memorandum, the formal credentials issued by the President of the European Commission had also been submitted for the representatives of the European Community.

7. As noted in paragraph 3 of the memorandum, as orally supplemented during the meeting, information concerning the appointment of representatives participating in the Fifteenth Meeting of States Parties had been communicated by means of facsimile or in the form of letters or notes verbales from ministries, embassies, permanent missions to the United Nations or other government offices or authorities, or through local United Nations offices, by the following 50 States participating in the Fifteenth Meeting: Albania, Angola, Antigua and Barbuda, Argentina, Benin, Bolivia, Botswana, Cape Verde, Comoros, Cook Islands, Costa Rica, Democratic Republic of the Congo, Djibouti, Dominica, Egypt, Equatorial Guinea, Gambia, Georgia, Guinea, Guinea-Bissau, Guyana, Haiti, Iraq, Jamaica, Lao People's Democratic Republic, Latvia, Mali, Malta, Mauritania, Nigeria, Pakistan, Palau, Papua New Guinea, Paraguay, Qatar, Samoa, Sao Tome and Principe, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Solomon Islands, Somalia, the former Yugoslav Republic of Macedonia, Togo, Tonga, Tuvalu, Ukraine, Zambia, and Zimbabwe.

8. The Chairperson proposed that the Credentials Committee accept the credentials of all the representatives mentioned in the memorandum by the Secretariat, supplemented by the additional information provided by the Secretariat during the meeting of the Committee, on the understanding that formal credentials of the representatives referred to in paragraph 3 of the Secretariat's memorandum would be communicated to the Secretariat as soon as possible. The following draft resolution was proposed by the Chairperson for adoption by the Committee:

> "*The Credentials Committee*,
>
> "*Having examined* the credentials of the representatives to the Fifteenth Meeting of States Parties to the United Nations Convention on the Law of the Sea referred to in paragraphs 1 to 3 of the memorandum by the Secretariat dated 17 June 2005, supplemented by the additional information provided by the Secretariat during the meeting of the Credentials Committee,
>
> "*Accepts* the credentials of the representatives concerned."

9. The draft resolution was adopted by the Committee without a vote.

10. Subsequently, the Chairperson proposed that the Committee recommend to the Fifteenth Meeting of States Parties the adoption of a draft resolution (see para. 12). The proposal was adopted without a vote.

11. In the light of the foregoing, the present report is submitted to the Fifteenth Meeting of States Parties to the United Nations Convention on the Law of the Sea.

Recommendation of the Credentials Committee

12. The Credentials Committee recommends to the Fifteenth Meeting of States Parties the adoption of the following draft resolution:

"Credentials of representatives to the Fifteenth Meeting of States Parties to the United Nations Convention on the Law of the Sea

"*The Fifteenth Meeting of States Parties to the United Nations Convention on the Law of the Sea*

"*Approves* the report of the Credentials Committee."

Meeting of States Parties

Distr.: General
21 June 2005

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Fifteenth Meeting
New York, 16-24 June 2005

Decision on adjustment of the remuneration of members of the International Tribunal for the Law of the Sea

The Meeting of States Parties,

Considering that, in respect of the level of remuneration of the members of the International Tribunal for the Law of the Sea ("the Tribunal"), the fourth Meeting of States Parties decided to maintain equivalence with the remuneration levels of members of the International Court of Justice,

Considering also that the General Assembly, in its resolution 59/282 of 13 April 2005, decided, with retroactive effect from 1 January 2005, to increase the annual salary and pensions of the members of the International Court of Justice by 6.3 per cent as an interim measure; pending a decision of the General Assembly based on the report requested in paragraph 8 of part III of that resolution,

Considering further the request of the Tribunal as contained in document SPLOS/2005/WP.1,

Noting that the proposed increase will be financed in large part from savings from previous financial periods, and on the understanding that thereafter every effort will be made in order to find corresponding savings elsewhere in the budget,

1. *Decides*, as an interim measure, and pending a decision by States Parties based on a report by the Registrar, taking into account the report requested in paragraph 8 of part III of resolution 59/282, to approve an adjustment of the maximum annual remuneration of the members of the Tribunal to the level of the emoluments of the members of the International Court of Justice established in General Assembly resolution 59/282, that is, $170,080 United States dollars, effective 1 January 2005, as well as an adjustment of pensions in payment in accordance with article 7, paragraph 2, of the pension regulations for members of the International Tribunal for the Law of the Sea, effective 1 January 2005;

2. *Also decides*, in the event that the Tribunal is unable to meet expenditures for 2005-2006 from approved appropriations made in the budget line "Special allowances of judges" under part I, to authorize the Registrar to incur expenditures to the extent that the shortfall in appropriation results from an increase in daily subsistence allowance as fixed by the United Nations;

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3. *Authorizes* the Tribunal to finance overexpenditures referred to in paragraphs 1 and 2 above by transfers between appropriation sections as far as possible and by using part of the savings of $500,000 United States dollars from the financial period 2002, up to an amount of €115,500 euros;

4. *Decides* that the Registrar shall report to the Meeting of States Parties on all relevant implications concerning any action taken pursuant to the present decision.

Meeting of States Parties

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Fifteenth Meeting
New York, 16-24 June 2005

Decision on a floor/ceiling mechanism to regulate the remuneration of the members of the International Tribunal for the Law of the Sea

The Meeting of States Parties,

Considering that, in respect of the level of remuneration of the members of the International Tribunal for the Law of the Sea, the fourth Meeting of States Parties decided to maintain equivalence with the remuneration levels of members of the International Court of Justice,

Considering also that the General Assembly devised a currency floor/ceiling mechanism for the emoluments of the members of the International Court of Justice through its resolution 43/217 of 21 December 1988 in order to deal with exchange rate fluctuations between the United States dollar and the local currency at the seat of the Court and that this mechanism has been applied since then to the emoluments of the members of the Court,

Considering further that the remuneration of the members of the Tribunal has been significantly affected by exchange rate fluctuations,

Having considered the request of the Tribunal as contained in document SPLOS/2005/WP.2,

Noting that the proposed increase will be financed in large part from savings from previous financial periods and on the understanding that thereafter every effort will be made in order to find corresponding savings elsewhere in the budget,

1. *Decides* to apply to the annual allowance and the special allowance of the members of the Tribunal, effective 1 July 2005, the same floor/ceiling mechanism as is applicable to the emoluments of the members of the Court, on the understanding that any adjustment made to the mechanism in respect of the Court would equally apply to the mechanism in respect of the Tribunal;

2. *Also decides* to authorize the Tribunal to finance overexpenditures due to the application of the floor/ceiling mechanism by using part of the savings from the financial period 2002 up to an amount of 263,000 euros and those from the financial period 2004 up to an amount of 150,000 euros;

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3. *Approves* a supplementary budget of 351,899 euros for the financial period 2005-2006;

4. *Decides* that the Registrar shall report to the sixteenth Meeting of States Parties on any action taken pursuant to the present decision.

Meeting of States Parties

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Fifteenth Meeting
New York, 16-24 June 2005

Credentials of representatives to the Fifteenth Meeting of States Parties to the United Nations Convention on the Law of the Sea

Second report of the Credentials Committee

Chairperson: Ms. Nyirinkindi Rosette Katungye (Uganda)

1. The Credentials Committee held its second meeting on 22 June 2005.

2. The Secretariat provided additional information on the status of credentials of representatives participating in the Fifteenth Meeting of States Parties to the United Nations Convention on the Law of the Sea, as at 22 June 2005.

3. According to that information, in addition to the States listed in paragraph 5 of the first report of the Committee (SPLOS/131), formal credentials issued by the Head of State or Government or by the Minister for Foreign Affairs or by a person authorized by either of them had been received by the Secretariat for the representatives of the following two States participating in the Fifteenth Meeting: Djibouti and Georgia. Thus, 97 States parties have submitted formal credentials.

4. Furthermore, in addition to the States listed in paragraph 7 of the first report of the Committee, information concerning the appointment of representatives participating in the Fifteenth Meeting had been communicated by means of facsimile or in the form of letters or notes verbales from ministries, embassies, permanent missions to the United Nations or other Government offices or authorities or through local United Nations offices, by the following two States participating in the Fifteenth Meeting: Burkina Faso and Vanuatu. Thus, 50 States parties have submitted information concerning the appointment of representatives.

5. The Chairperson proposed that the Committee accept the credentials of all representatives as mentioned in the information provided by the Secretariat during the second meeting of the Committee, on the understanding that formal credentials of representatives whose appointment has been communicated by means of facsimile or in the form of letters or notes verbales from ministries, embassies, permanent missions to the United Nations or other government offices or authorities or through local United Nations offices would be communicated to the Secretariat as

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soon as possible. The following draft resolution was proposed by the Chairperson for adoption by the Committee:

"*The Credentials Committee*,

"*Having examined* the credentials of the representatives to the Fifteenth Meeting of State Parties to the United Nations Convention on the Law of the Sea referred to in the information provided by the Secretariat on 22 June 2005, during the second meeting of the Credentials Committee,

"*Accepts* the credentials of the representatives concerned."

6. The draft resolution was adopted by the Committee without a vote.

7. Subsequently, the Chairperson proposed that the Committee recommend to the Fifteenth Meeting the adoption of a draft resolution (see para. 9). The proposal was adopted without a vote.

8. In the light of the foregoing, the present report is submitted to the Fifteenth Meeting.

Recommendation of the Credentials Committee

9. The Credentials Committee recommends to the Fifteenth Meeting of States Parties the adoption of the following draft resolution:

"**Credentials of representatives of the Fifteenth Meeting of States Parties to the United Nations Convention on the Law of the Sea**

"*The Fifteenth Meeting of the States Parties to the United Nations Convention on the Law of the Sea*,

"*Approves* the second report of the Credentials Committee."